

COMMANDER'S RESPONSIBILITIES

- **Personally responsible and accountable for EO climate.**
- **Develop and implement EO programs that enhance unit cohesion, esprit, and morale.**
- **Act on complaints within 72 hrs.**
- **Identify unlawful discriminatory practices.**
- **Promote EO and interpersonal harmony.**
- **Assign EOAs to their personnel or coordinating staff.**
- **Be in the EOAs rating scheme.**

COMMANDER'S RESPONSIBILITIES (cont)

- **Conduct EO training on a continuing basis for all assigned or attached personnel.**
- **Monitor and assess the execution of EO programs and policies.**
- **Involve public affairs personnel at every level of command in planning and publicizing EO programs and initiatives.**
- **Publish/post EO policy.**
- **Company level commanders will conduct unit climate assessment within 90 days (USAR, 180) within assuming command and annually thereafter.**

COMMANDER RESPONSIBILITIES (cont)

- **Encourage soldiers to use chain of command.**
- **Take appropriate action to prevent incidents of intimidation, harassment, or reprisals against those who file EO complaints.**
- **Take appropriate action on those that violate Army policy.**
- **Monitor EOR demographics.**
- **Report all EO training at quarterly training briefings.**

EOA RESPONSIBILITIES

- **Understand and articulate Department of Defense and Army policies.**
- **Assist commander in implementing a Consideration of Others program.**
- **Recognize and assess discrimination indicators.**
- **Recognize sexual harassment in both overt and subtle forms.**
- **Recommend appropriate remedies to eliminate and prevent unlawful discrimination and sexual harassment.**
- **Assist in assessing, planning, implementing, and evaluating EO programs.**
- **Assist with EO training.**

EOA RESPONSIBILITIES (cont)

- **Assist in evaluating the effectiveness of unit training conducted by commanders.**
- **Train unit Equal Opportunity Representatives.**
- **Receive and assist with individual complaints.**
- **Conduct follow-up assessments of all formal EO complaints.**
- **Assist commanders in developing EO policy for their units.**
- **Conduct staff assistance visits.**

EOR RESPONSIBILITIES

- **Assist commanders in recognizing detractors from a healthy unit EO climate.**
- **Continuously assist commanders in the conduct of unit climate assessments.**
- **Prepare and assist the commander in the conduct of EO training.**
- **Maintain liaison with other EORs and EOAs at higher headquarters.**
- **Assist commanders with ethnic/special observances.**
- **Assist complainants by referring them to appropriate agency for assistance.**
- **Serves as resource person on EO matters.**

THE ARMY'S EQUAL OPPORTUNITY POLICY

Provide equal opportunity and fair treatment for military personnel, family members and DA civilians, without regard to race, color, gender, religion, or national origin, and provide an environment free from unlawful discrimination and offensive behavior.

THE ARMY'S EO POLICY (cont)

- **Applies both on and off post, during duty and non duty hours.**
- **Applies to working, living, and recreational environments (including both on and off- post housing).**

EO COMPLAINT PROCESS

- **Individual rights. (Soldiers, family members, and DA civilians.)**
 - **Present a complaint to the command without fear of intimidation, reprisal, or harassment.**
 - **Communicate with the commander concerning their complaint.**
 - **Receive assistance when submitting a complaint.**
 - **Receive training on the Army's EO complaint and appeals process.**

EO COMPLAINT PROCESS (cont)

- **Individual responsibility.**
 - **Advise the command of the specifics of sexual harassment and unlawful discrimination complaints and provide the command the opportunity to take appropriate action to resolve/rectify the issue.**
 - **Submit only legitimate complaints and exercise caution against unfounded or reckless charges.**
- **Attempt to resolve a complaint by informing the offender that the behavior must stop.**

TYPES OF COMPLAINTS

Informal

Any complaint that a soldier, family member or DA civilian does not wish to file in writing.

- **May be resolved directly by the individual, help from another unit member, the commander or other person in the complaint's chain of command.**
- **Not subject to time constraints.**
- **Person working on resolution should file a MFR.**
- **Chain of command is not the only channel available to resolve a complaint.**

ALTERNATIVE AGENCIES

- A higher echelon commander
- Equal Opportunity Advisor
- Inspector General
- Chaplain
- Provost Marshal
- Medical agency personnel
- Staff Judge Advocate
- Chief, Community Home finding Referral and Relocation Services (CHRRS)

TYPES OF COMPLAINTS (cont)

Formal

Complaint files in writing and swears to the accuracy of the information. Filed using DA Form 7279-R.

- **Part 1: Specifies alleged concern.**
- **“Requested Remedy” block serves a variety of purposes both to the complainant and the command.**
- **File complaint within 60 days of alleged incident.**
- **Complainant should file with the commander at the lowest echelon of command.**

ALTERNATIVE AGENCIES ACTIONS

- **Report identified criminal activity instances to the Provost Marshal or CID.**
- **Refer incidents of sexual assault or rape to medical agencies.**
- **Refer allegations of unlawful discrimination in housing (both on and off post), to the housing division.**
- **Report complaints against senior officers and SES civilians with the US Army Inspector General Agency at the Pentagon.**

COMMANDER ACTIONS

- **Ensure that the complainant has been sworn to the complaint on DA Form 7279-R.**
- **Report formal complaints to General Courts-Martial Convening Authority (GCMCA) within 72 hours.**
- **Provide progress report to GCMCA within 20 days and 14 days thereafter until completed.**
- **Conduct investigation IAW AR 15-6.**
- **Implement a plan to protect all concerned. It will include meetings/discussions with:**
 - 1. Complainant**
 - 2. Perpetrator**
 - 3. Witnesses,****and selected members of chain of command.**

INVESTIGATION TIME LINES

- Commander/investigation officer has 14 calendar days (3-weekend drills, RC) to conduct an investigation.
- A 30-day extension granted from the next higher command if circumstances require it.
- Additional extension approved by the first general officer in chain of command.

APPEALS PROCESS

- **Present DA Form 7279-R, Part IV, within 7 calendar days (next multiple unit training activity (MUTA 4 drill period, RC)).**
- **Once initiated, the commander has 3 calendar days (one MUTA 4 drill period, RC) to refer appeal to next higher command.**
- **Next higher commander has 14 days (3 MUTA 4 periods, RC) to review the case and provide written feedback on the results of the appeal.**
- **If not resolved at Bde level, the General Courts Martial Convening Authority then has final decision authority (Decision is final).**

MANDATORY EO TRAINING REQUIREMENTS

- **Conduct EO/sexual harassment training quarterly.**
- **Document training on training schedule and lead the training.**
- **Must include type of training, instructor, length of training, roster of attendees, and issues covered.**
- **Issues must be of local or Army wide importance.**
- **As a minimum, two quarters will consist of prevention of sexual harassment training.**

CHAIN OF COMMAND RESPONSIBILITIES

- **Ensure personnel are familiar with Army policy on sexual harassment.**
- **Publish/post command policy statements.**
- **Assess the unit's command climate regarding sexual harassment.**
- **Set the standard.**

DEFINITION OF SEXUAL HARASSMENT

A form of gender discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission or rejection:

- Makes it a term for a person's job, pay or career.**
- Used as basis for career/employment decisions affecting that person.**
- Creates an intimidating, hostile or offensive working environment.**

SEXUAL HARASSMENT CATEGORIES

- **Verbal.**
- **Nonverbal.**
- **Physical contact.**

QUID PRO QUO

- **Latin term meaning, “This for that.”**
- **Conditions placed upon a person’s career or terms of employment in return for sexual favors.**
- **Promises of career advancement, promotions, and other benefits, should the victim give in to the sexual advances.**

HOSTILE ENVIRONMENT

**OCCURS WHEN SOLDIERS OR CIVILIANS ARE
SUBJECTED TO:**

- **Offensive**
- **Unwanted**
- **Unsolicited**

**Comments and/or behaviors of a sexual
nature.**

DEALING WITH SEXUAL HARASSMENT

- **Direct approach.**
- **Indirect approach.**
- **Third party.**
- **Chain of command.**
- **File a formal complaint.**

ADMINISTRATIVE ACTIONS

- **Mandatory training.**
- **Additional training.**
- **Denial of certain privileges.**
- **Rehabilitative transfer.**
- **Relief for cause.**
- **Adverse performance evaluation.**
- **Bar to reenlistment.**
- **Separation.**

ACTIONS PROHIBITED IN SUPPORT OF EXTREMIST ORGANIZATIONS

- **Participating in public demonstrations or rallies.**
- **Attending a meeting that involves an extremist cause.**
- **Participating in fund raising activities.**
- **Recruiting or training members.**
- **Creating, organizing, taking leadership role in an organization or activity.**
- **Distributing literature on or off post.**

WHAT DID CONGRESS SAY

- **Engaging in, attempting to engage in, or soliciting another to engage in homosexual acts is grounds of discharge from the Army.**
- **Military persons that demonstrate a propensity to engage in homosexual acts creates an unacceptable risk to morale, good order, and discipline and unit cohesion.**
- **The long standing element of military law that prohibits homosexual conduct continues to be necessary in the circumstances of military service.**

NOT CREDIBLE EVIDENCE

- **Rumors that a soldier is homosexual.**
- **Others opinion that a soldier is homosexual.**
- **Going to a homosexual bar, reading homosexual publications, associating with known homosexuals or marching in homosexual rights rally in civilian clothes.**
- **Reporting threats or accusations of being homosexual.**

CREDIBLE EVIDENCE

- **A statement by a reliable person that the soldier engaged in a homosexual act, heard the soldier state that he or she was homosexual or that the soldier had married or attempted to marry a member of the same sex.**
- **A statement by a reliable person that they observed a soldier saying or writing a statement acknowledging a homosexual act or intent to engage in a homosexual act.**

HAZING

- **Rite of passage.**
- **Physically striking another to inflict pain.**
- **Piercing another's skin in any manner.**
- **Forcing or requiring consumption of excessive amounts of food, alcohol, drugs, or other substances.**
- **Encouraging participation in illegal, harmful, demeaning, or dangerous acts.**
- **Soliciting or coercing another to participate in such activity is also considered hazing.**

AUTHORIZED ACTIVITIES

- **Physical/mental hardships associated with operations or operational training.**
- **Administrative corrective measures.**
- **Extra military instruction or training.**
- **Physical training or remedial physical training.**
- **Other similar activities.**